

Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

CARREA CHRISTOPHER,)	NO. 2:17-CV-738-RSL
)	
Plaintiff,)	PLAINTIFF'S MOTION TO
)	COMPEL DISCOVERY
)	RESPONSES
v.)	
FORD MOTOR COMPANY,)	
)	
Defendants.)	
)	

Plaintiff, Carrea Christopher, Motion to Compel Discovery
Responses as follow:

Plaintiff, Carrea Christopjher, seeks an order compelling
defendant, Ford Motor Company to provide complete discovery
request. The defendants Ford motor Company responses were

PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES	CARREA CHRISTOPHER
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1 Due over four months ago, and Plaintiff, Carrea Christopher, has
2 identified the deficiencies over four months .To date, Ford
3 Motor Company has Provided only a small fraction of the
4 required documents and information responsive to Carrea's
5 request, and despite repeated assurances that a response was
6 forthcoming, Ford has failed to respond Carrea's request to
7 correct the deficiencies or to respond in any meaningful way to
8 the majority of Carrea's requests. Carrea is prejudiced by Ford's
9 failure to cooperate in discovery because Ford has exclusive
10 control of all of the information on which Carrea's claims
11 depend.

12 STANDARD OF REVIEW

13
14 Federal Rule of Civil Procedure 26(b) provides that"
15 [p]arties may obtain discovery regarding matter that is relevant
16 to any partys claim or defense....relevant information need not
17 be admissible at the trial if the discovery appears reasonably
18 calculated to lead to the discovery of admissible evidence." The
19 ninth circuit is not the only circuit that believes the standard for
20 relevance is broad at the discovery stage. *U.S. ex rel Pogue v.*
21 *Diabetes Treatment Ctrs. Of Am.,* 235 F.R.D. 521, 525 (D.D.C.
22 2006). A party may move to compel discovery provided that he
23 or she "has in good faith conferred or attempted to confer with
24 the person or party failing to make disclosure or discovery in an
25 effort to obtain it without court action. Fed.R. Civ. P. 37(a)(1).
26 This court considers the prior efforts of the parties to resolve the

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1 dispute, the relevance of the information sought, and the limits
 2 imposed BY Rule 26(b)(2)(c).” *Barnes v. D.C.*, 289 F.R.D. 1
 3 (citing *Oppenheimer fund v. Sanders*, 437 U.S. 340, 350-52
 4 (1978) Rule 26(b)(2) exempts information from discovery
 5 where the court determines that: “(i) the
 6 sought is unreasonably cumulative or duplicative, or can
 7 obtained from some other source that is more convenient, less
 8 burdensome, or less expensive: (ii) the party seeking discovery
 9 has had ample opportunity to obtain the information by
 10 discovery in the action: or (iii) the burden or expense of the
 11 proposed discovery outweighs its likely benefit....”

12 The defendants are outside of all exemption criteria.

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

ARGUMENT

The Court should (1) compel Ford Motor Company, to
 provide complete responses to Carrea’s document request and
 interrogatories: (2) declare that Ford Motor Company, objections
 on all grounds other than privileged have been waived by its
 failure to respond timely to Carrea’s discovery request; (3) find
 that Ford Motor Company, vague assertions of privilege or their
 concerns cannot overcome Carrea’s right to obtain information
 directly relevant to his claims; (4) order Ford Motor Company to
 comply with the requirements of Rules 33, which requires
 responses, and (5) order Ford Motor Company to pay Carrea’s his

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1 Reasonable expenses in connection with this motion pursuant to
2 Rule 37.

3
4 **I. The Court should Order Ford Motor Company to**
5 **provide full responses to Carrea's discovery Request**
6 **within 14 Days because no Good Cause Exist for Ford**
7 **Motor Company, delay and Ford Motor Company**
8 **Objection have been waived.**

9 Carrea's discovery requests seek information that is
10 Directly relevant to Carrea's claims, is in Ford Motor Company
11 exclusive possession, and is unavailable to Carrea through
12 discovery of any other source. Ford's responses to date are
13 incomplete, and Ford has no valid excuse for its failure to
14 cooperate in discovery. Carrea has made detailed request on
15 many occasions over approximately four months period.
16 Carrea's efforts to date have failed to elicit a response to the
17 deficiency correction request, and Ford's discovery responses
18 remain inadequate. Thus, Carrea has done all he can to resolve
19 or narrow the discovery issues, and Court action is necessary to
20 compel Ford's cooperation in discovery.

21 Moreover, because Ford's discovery responses were
22 untimely, its objection to the requests and interrogatories are
23 waived. *See Caudle, 263 F.R.D. at 33.* Ford never sought an
24 extension of its deadline to respond and never provided an
25 explanation to Carrea why its discovery responses were late. To

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1 date, Ford has not attempted to justify its delay in responding,
2 much less provided good cause for delay.

3 Accordingly, the Court should order that Ford's general
4 and specific objections to Carrea's discovery requests, to the
5 extent that those objections do not assert privilege, are waived
6 and order Ford to provide complete responses within 14 days.
7 **The Plaintiff, Carrea has agreed to pay for the cost of**
8 **duplicating cd's of responses and answers.**

9
10 **II. The following simple request and responses had**
11 **failures and disappointments in the following**
12 **manner.**

13
14
15 **INTERROGATORY NO.2:**

16 **Please state your argument for and/or against the Federal**
17 **Government Recall**

18 **(NHSTA [sic]) National Highway Safety Transportation**
19 **Agency, Recall of the 2006 Ford**
20 **Ranger Defaults.**

21 **ANSWER: Ford does not have an argument for or against"**
22 **recalls. Ford refers Plaintiff to**
23 **its response to NHTSA General Order PE14-016, and the**
24 **documents Ford provided to NHTSA**

25
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27 **PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES**
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1 in connection with its response, which Ford will produce.
2 Beyond this, Ford objects to the word "recall" because it is
3 vague, undefined and
4 subject to multiple interpretations. Ford objects to providing
5 information concerning recalls
6 that are not applicable to the driver's front airbag in the
7 subject vehicle. In addition, Ford
8 objects to this Interrogatory because it is overly broad and
9 seeks irrelevant information,
10 particularly as it is not limited to the component at issue in
11 this case, or to a reasonable or
12 relevant time frame. Ford also objects to this Interrogatory
13 seeking "Ford's argument for
14 and/or against" NHTSA recalls because it is vague and
15 confusing and seeks irrelevant
16 information that has no bearing on the adequacy of the
17 design and performance of the front
18 airbag supplemental restraint system in 2004-2006 Ford
19 Ranger and Mazda B-Series pickup
20 trucks, or to any party's claims or defenses in this case.
21 Ford's position either in support of or
22 against any recall, if any, is irrelevant to any liability or
23 damages issues in this case. Ford
24 further objects to this Interrogatory because it seeks work
25 undertaken in anticipation of
26 litigation or for trial or at the direction of counsel, or other
27 information protected by the
28

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attorney-client privilege and/or the work product doctrine, particularly as Ford's investigation of the incident is ongoing and such information would reveal the legal strategies or mental impressions of Ford's outside counsel or Ford's Office of the General Counsel.

PLAINTIFF REASONS TO COMPEL OF INTERROGATORY NO 2: Plaintiff requested only the reasons Ford fought against the imposition of NHSTA inquiry and examination of the 2006 Ford Ranger. The answer is in there custody and knowledge but they refused to answer, instead giving a song and dance around the interrogatory.

INTERROGATORY NO.3:

Are you responsible for making, creation, manufacturing and the assembly of Ford 2004-2007 Ranger.

ANSWER: Ford is responsible for supplier sourcing and overall vehicle integration. Ford designed and manufactured, in part, and finally assembled, 2004-2006 Ford Ranger pickup trucks, with certain components and systems provided to Ford by its suppliers.

V/ith regard to the subject vehicle, Ford completed final assembly of the subject 2006

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1 **Ford Ranger on or about January 4,2006, at Ford's Twin**
2 **Cities Plant in St. Paul, Minnesota.**
3 **Ford shipped the subject vehicle to Ford of Kirkland in**
4 **Kirkland, V/ashington, on January 4,**
5 **2006. Ford refers Plaintiff to the Mini 999 and the Vehicle**
6 **Information report for the subject**
7 **2006 Ford Ranger, VIN 1FTYR14U36P458597, that Ford**
8 **offered to produce in connection**
9 **with its Initial Disclosures.**

10 **PLAINTIFF REASONS TO COMPEL OF INTERROGATORY**
11 **NO 3 :** Plaintiff requested only the did you make the , 2006
12 Ford Ranger. The answer in part should be addressed. Did you
13 or didn't you. Is it your product. The answer is in there custody
14 and knowledge but they refused to answer, instead giving a song
15 and dance around the interrogatory.

16
17 **INTERROGATORY NO. 5:**

18 **Please identify the individuals that argued in behalf of Ford**
19 **to (NHSTA), and their**
20 **addresses, phone numbers and emails.**

21 **ANSWER: Ford refers Plaintiff to the people identified in its**
22 **response to General Order PE14-**
23 **016, which Ford offered to produce in its Answer to**
24 **Interrogatory No. 2.**

25
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1 PLAINTIFF REASONS TO COMPEL OF INTERROGATORY
2 NO 5: The defendants, Ford did not produce the individuals
3 names,addresses and numbers, which delays discovery.
4

5 **INTERROGATORY NO. 6:**

6 **Have you shown remorse for the injuries and death of those**
7 **due to the airbag explosion**
8 **of the Ford Ranger, and if so give some examples.**

9 **ANSWER: Ford objects to this Interrogatory because it is**
10 **argumentative and misleading,**
11 **particularly as it implies that Ford vehicles are defective or**
12 **dangerous, which Ford denies.**

13 **Ford further objects to this Interrogatory because it seeks**
14 **irrelevant and subjective information**
15 **that has no bearing on the design and performance of the**
16 **front airbag supplemental restraint**
17 **system in2004-2006 Ford Ranger and Mazda B-Series**
18 **pickup trucks and is intended merely**
19 **to harass Ford.**

20 PLAINTIFF REASONS TO COMPEL OF INTERROGATORY
21 NO 6: Fords, vehicles, have murdered individuals and wounded
22 Carrea. Have they shown remorse should be simple, yes or no to
23 answer for rational parties.
24

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INTERROGATORY NO. 7:

How much did Ford spend yearly in advertisement of their products from 2014-2017.

ANSWER: Ford objects to this Interrogatory because it is overly broad, unduly burdensome, and seeks irrelevant information that has no bearing on the design and performance of the front airbag supplemental restraint system in 2004-2006 Ford Ranger and Mazda B-Series pickup trucks. Ford conducts or purchases three tiers of advertising: Tier 1, Tier 2 and Tier 3. Tier I advertising relates to national advertising. Ford designs and directs the substance of advertising for Ford vehicles in nationally based television, print and online media. Ford contracts with a national advertising agency who participates in Ford advertising. In addition, Ford may, at times, contract with a separate agency for a specific project, such as development and printing of brochures on a particular product. Tier 2 advertising relates to regional marketing through the use of regional dealer advertising groups known as Ford Dealer Advertising Funds ("FDAFs"). Regional advertising is directed by approximately thirty-seven different FDAFs. FDAFs are run by boards composed of representatives from independently

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1 owned and operated Ford dealerships. While Ford may
2 provide some creative content for their
3 use, FDAFs decide which advertisements to run in their
4 particular regions. Tier 3 advertising
5 relates to dealership advertising. Dealerships may create
6 their own advertisements. Ford will
7 or may reimburse dealerships for a certain amount of Tier 3
8 advertising through a Dealership
9 Co-Op Program. Therefore, it would be extremely
10 burdensome for Ford to attempt to
11 differentiate and quantify these costs with any level of
12 accuracy.

13 Ford also objects to this Interrogatory because it is not
14 limited to the front airbag
15 supplemental restraint system or the subject vehicle at issue
16 in this case, or its related program,
17 or to a reasonable or relevant time frame. In addition,
18 Plaintiff has not identified how or why
19 the amount of money Ford spent advertising all of its
20 products, over a four-year period nearly
21 ten years after the subject vehicle was designed, developed
22 and produced, could be of probative
23 value or how it is even remotely related to the claims or
24 defenses in this case. Ford further
25 objects to this Interrogatory because it seeks information
26 that may not be kept in Ford's

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1 **ordinary course of business and/or is not in Ford's**
2 **possession, custody, or control.**

3
4 **PLAINTIFF REASONS TO COMPEL OF INTERROGATORY**
5 **NO 7:Carrea, did not ask for how much local dealers**
6 **advertised. Ford Motor Company had an obligation to notify**
7 **drivers of the danger. How much did they spend doing that as**
8 **opposed to how much they spent advertising the sale of vehicles**
9 **is prima facie evidence. Very relevant. The fact you have the**
10 **three tiers in your possession as acknowledged in your custody,**
11 **the production should'nt be difficult or problematic.**
12
13

14 **INTERROGATORY NO. 8:**

15 **How much did you spend notifying the general public of the**
16 **recall and the dangers**

17 **(sic) of driving the Ford Ranger in the years of 2014-2017.**

18 **ANSWER: Ford refers Plaintiff to the VIN Field Service**
19 **Action ("FSA") Details report in**
20 **the Vehicle Information Report for the subject 2006 Ford**
21 **Ranger, VIN**

22 **IFTYR14U36PA58597,thatFord offered to produce in**
23 **connection with its Initial Disclosures.**

24 **The VIN FSA Details report will show the recall history for**
25 **the subject vehicle, including**

26 **details of the mailings provided by Ford to the registered**

27 **PAGE TWELVE**

1 owner(s) of the subject vehicle.

2 **Beyond this, Ford objects to the phrase "the recall"**
3 **because it is vague, undefined and**
4 **subject to multiple interpretations. Ford objects to providing**
5 **information concerning recalls**
6 **that are not applicable to the driver's front airbag in the**
7 **subject vehicle. In addition, Ford**
8 **objects to this Interrogatory as written because it is overly**
9 **broad and seeks irrelevant**
10 **information, particularly as it is not limited to the**
11 **component at issue in this case, or to a**
12 **reasonable or relevant time frame. Ford also objects to this**
13 **Interrogatory seeking how much**
14 **Ford spent notifying the public of the recall because it seeks**
15 **irrelevant information that has no**
16 **Bearing on the adequacy of the design and performance of**
17 **the front airbag supplemental**
18 **Restraint system in 2004-2006 Ford Ranger and Mazda B-**
19 **Series pickup trucks.**

20 **PLAINTIFF REASONS TO COMPEL OF INTERROGATORY**
21 **NO 8: It is in the custody, tenure and possession of Ford,**
22 **whether they notified the general public or not and to what**
23 **extent and magnitude. Again, Ford does a song and dance**
24 **around the simple Interrogatory.**

25
26 **PAGE THIRTEEN**

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INTERROGATORY NO.9:

Is it necessary, essential and obligatory to warn, caution and notify the general public of the dangers of the airbag and what measures (sic) if any did you make to forewarn the general public.

ANSWER: With regard to safety-related defects, Ford complies with United States law, including Title 49 of the United States Code, Chapter 301, and supporting federal regulations, in handling and reporting safety-related defects. With respect to Ford's procedures related to notification of owners of vehicles subject to recalls, Ford complies with all applicable laws and regulations, including those outlined in 49 CFR § 573 et seq. and 49 CFR § 577 et seq. These regulations are publicly available, including at <https://www.gpo.gov>.

Beyond this, Ford objects to the phrase "necessary, essential and obligatory to warn, caution and notify the general public of the dangers of the airbag" because it is vague, undefined and subject to multiple interpretations. This phrase is also argumentative and misleading, particularly as it implies that Ford vehicles are defective or dangerous, which Ford denies. In addition, Ford objects to this Interrogatory

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1 because it is overly broad and seeks
2 irrelevant information, particularly as it is not limited to the
3 front airbag supplemental restraint
4 system or the subject vehicle at issue in this case, or its
5 related program, or to a reasonable or
6 relevant time frame. Ford also objects to this Interrogatory
7 because it seeks irrelevant
8 information that has no bearing on the adequacy of the
9 design and performance of the front
10 airbag supplemental restraint system in 2004-2006 Ford
11 Ranger and Mazda B-series pickup
12 trucks. Ford further objects to this Interrogatory because it
13 seeks work undertaken in
14 anticipation of litigation or for trial or at the direction of
15 counsel, or other information protected
16 By the attorney-client privilege and/or the work product
17 doctrine, particularly as Ford's
18 Investigation of the incident is ongoing and such information
19 would reveal the legal strategies
20 Or mental impressions of Ford's outside counsel or Ford's
21 Office of the General Counsel.

22 PLAINTIFF REASONS TO COMPEL OF INTERROGATORY
23 NO 9: The Interrogatory is simple. Do you or do you not feel it
24 is essential, and needed, to notify the general public of dangers.
25 Do you have to be ordered to?

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INTERROGATORY NO. 12 (sic):

Should a manufacture (sic) be responsible for his product and why.

ANSWER: Ford objects to this Interrogatory because it seeks information that is not relevant to any party's claim or defense and is not proportional to the needs of the case. Ford's position on whether a manufacturer should . . . be responsible for [its] product" has no relevance to the claims or defenses in this case. Liability issues in this case will be determined by applicable law, not Ford's position on the proper bounds of a manufacturer's liability. without waiving any objections, Ford denies that it is liable to Plaintiff in this case.

PLAINTIFF REASONS TO COMPEL OF INTERROGATORY NO 12:The Interrogatory is very relevant. If Ford does not feel responsible for what they produce goes to culpability and the need to be or not to be responsible.

INTERROGATORY NO. 13:

To the extent not answered in response to the previous interrogatory, please give all defenses that relate to your defense of the plaintiff allegations.

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1
2 **ANSWER: Ford refers Plaintiff to the defenses listed in**
3 **Ford's Answer to Plaintiffs Second**
4 **Amended Complaint, which was filed with the Court on**
5 **September 13, 2018 (Dkt. #66, at 12-**
6 **15). Ford reserves the right to add defenses that it deems**
7 **necessary to its defense or upon the**
8 **conclusion of investigation and discovery.**

9 **PLAINTIFF REASONS TO COMPEL OF INTERROGATORY**
10 **NO 13:What is Ford's argument is relevant.**
11
12
13

14 **REQUEST FOR PRODUCTION**

15 **REQUEST FOR PRODUCTION NO. 1:**

16 **Please produce all documents that you referred to or were**
17 **identified in your answer to**
18 **the above interrogatories.**

19 **RESPONSE: Ford states that to the extent Ford referenced**
20 **a specific document in its Answers**
21 **to Plaintiffs Interrogatories above, Ford will agree to**
22 **produce such document, if it hasn't**
23 **already been produced to Plaintiff in this matter, and, if**
24 **necessary, once an appropriate**
25 **protective order is entered with the Court.**

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PLAINTIFF REASONS TO COMPEL PRODUCTION NO 1:

Carrea has submitted protective orders and assurances the production will not be used for anything outside of this case. Yet Ford has not produced the documents yet.

REQUEST FOR PRODUCTION NO. 2:

Please produce all documents of Fords position for and against the air bag recall.

RESPONSE: Ford refers Plaintiff to its Answer and objections to Interrogatory No. 2, herein,

and the documents Ford offered to produce therein.

Ford further objects to this Request because it is vague and confusing and seeks

information that is not relevant to any party's claims or defenses in this case. Ford's "position"

either in support of or against any recall, if any, is irrelevant to any liability or damages issues in this case.

PLAINTIFF REASONS TO COMPEL PRODUCTION NO 2:

The Request is very relevant and supports Carrea's claims.

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REQUEST FOR PRODUCTION NO. 3:

Please produce a list of all individuals that died and/or was hurt from the Ford ranger airbag that you have.

RESPONSE: Lawsuits and claims filed or asserted against Ford often fail to clearly state the basis for a claim, to specify the nature of the accident, or to clearly identify the alleged product defect. Furthermore, facts and circumstances surrounding other incidents are substantially dissimilar to those involved in the subject lawsuit.

Notwithstanding, Ford will produce:

A list of lawsuits received by Ford's Office of the General Counsel as of October 31,

2018, that could reasonably be identified as containing allegations of injury or death

related to the front airbag supplemental restraint system in 2004-2006 Ford Ranger and

Mazda B-Series pickup trucks. Ford's list will contain, if available, the file name,

incident date, file status (i.e., pending or closed), Plaintiff(s)' attorney's name, and

model/model year of vehicle; and

A list of non-litigated claims received by Ford's Office of the General Counsel as of

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1 **October 31,2018, that could reasonably be identified as**
2 **containing allegations of injury**
3 **or death related to the front airbag supplemental restraint**
4 **system in 2004-2006 Ford**
5 **Ranger andMazdaB-Series pickup trucks. Ford's list will**
6 **contain, if available, the file**
7 **name, incident date, file status (i.e., pending or closed),**
8 **Claimant(s)' attorney's name,**
9 **and model/model year of vehicle.**

10 **The foregoing lawsuits and claims may include information**
11 **relating to issues other than**
12 **those that Plaintiff contends have manifested themselves in**
13 **the subject vehicle, but because**
14 **concerns such as those asserted by Plaintiff cannot always be**
15 **readily segregated from other**
16 **related concerns, the documents provided by Ford will, to**
17 **some degree, unavoidably be over-**
18 **inclusive or duplicative.**

19 **To the extent Plaintiff seeks information relating to defect**
20 **investigations or consumer**
21 **complaints (Vehicle Owner Questionnaires) initiated or**
22 **received by the Office of Defect**
23 **Investigations (ODI) of the National Highway Traffic Safety**
24 **Administration ("NHTSA"),**
25 **regarding 2004-2006 Ford Ranger and Mazda B-Series**
26 **pickup trucks, these materials are in**

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1 the public domain, and equally available to Plaintiff as to
2 Ford at www-odi.nhtsa.dot.gov. The
3 search engine allows searches of safety-related recalls,
4 investigations and complaints about
5 motor vehicles and motor vehicle equipment by make, model
6 and year. Because this data
7 originates from the NHTSA, Ford cannot confirm its
8 accuracy or completeness, but
9 nevertheless hereby identifies its existence in the interests of
10 full disclosure. Ford also refers
11 Plaintiff to the "Problems and Issues" link on the NHTSA
12 website, www.nhtsa.dot.gov.
13 Documents associated with consumer complaints may be
14 ordered from NHTSA Technical
15 Information Services. By providing any of the information
16 above, Ford does not stipulate or
17 otherwise concede that these incidents are similar, relevant,
18 or admissible.
19 Beyond this, Ford objects to this Request because it is overly
20 broad, unduly
21 burdensome, and seeks irrelevant information. First, this
22 Request is not limited to a reasonable
23 or relevant time frame. Second, lawsuits and claims asserted
24 against Ford often fail to clearly
25 state the basis for a claim, to specify the nature of the
26 accident, or to clearly identify the alleged

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1 product defect. Also, the facts and circumstances
2 surrounding other accidents, alleged injuries,
3 incidents or complaints vary depending on loading weight
4 and position, number of passengers,
5 magnitude and direction of impact, occupant size, position of
6 occupant, speed of the vehicle,
7 actions of the driver, road conditions, vehicle condition and
8 environmental factors. Therefore,
9 this information is irrelevant to what allegedly occurred in
10 the subject accident. Third, there
11 has been no showing of substantial similarity between the
12 subject accident and other incidents
13 that gave rise to a lawsuit or claim.
14 Finally, Ford objects to this Request because it could be
15 interpreted to seek work
16 undertaken in anticipation of litigation or for trial or at the
17 direction of counsel, or other
18 information protected by the attorney-client privilege and/or
19 the work product doctrine,
20 particularly as Ford's investigation of the incident is ongoing
21 and such information would
22 reveal the legal strategies or mental impressions of Ford's
23 outside counsel or Ford's Office of
24 the General Counsel.

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1 PLAINTIFF REASONS TO COMPEL PRODUCTION NO 3:
2 Ford has had over 5,000 cases in recent history they however
3 submitted less then 100
4

5 **REQUEST FOR PRODUCTION NO. 4:**

6 **Please produce authorization for release of all documents**
7 **from all agencies (sic) and**
8 **Ford for records of investigation, research and data of the**
9 **subject vehicle of this case. (2006**
10 **(sic).**

11 **RESPONSE: Ford searched for but did not locate a claim**
12 **file relative to the alleged incident.**

13 **However, Ford will make available for inspection and**
14 **copying at a mutually agreeable time**
15 **any non-privileged business records related to this lawsuit or**
16 **the alleged incident that it**
17 **receives pursuant to Plaintiff's authorization in this case.**
18 **Beyond this, Ford objects to this Request because it is vague,**
19 **undefined, subject to**
20 **multiple interpretations and does not make sense as written.**
21 **Ford also objects to this Request**
22 **because it is overly broad and seeks information and**
23 **documents that may not be kept in Ford's**
24 **ordinary course of business and or are outside of Ford's**
25 **possession, custody, or control,**

26 **PAGE TWENTY THREE**

27 PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES
28 NO. 2:17-CV-738-RSL

CARREA CHRISTOPHER
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SAN DIEGO, CALIFORNIA 92174
TELEPHONE (619)822-7392

1 including documents and information over which Plaintiff
2 has an equal or superior right of
3 control.

4
5 PLAINTIFF REASONS TO COMPEL PRODUCTION NO 4:
6 Ford has not allowed Carrea to come in the office to review the
7 documents. Ford's counsel has promised to send cd and bill
8 Carrea but has not as of today's date.

9
10 **REQUEST FOR PRODUCTION NO. 5:**

11 To the extent not produced in response to the previous
12 request, please produce (sic) all
13 documents that relate to your defense of the plaintiff
14 allegations.

15 **RESPONSE:** Ford refers Plaintiff to the materials produced
16 in the previously exchanged
17 Initial Disclosure and in response to these discovery
18 requests. Investigation and discovery are
19 ongoing, and Ford reserves the right to supplement this
20 response. objects to providing information concerning other
21 recalls that are
22 not applicable to the driver's front airbag in the subject
23 vehicle.

24
25 **PAGE TWENTY FOUR**

26
27 PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES
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1 **PLAINTIFF REASONS TO COMPEL PRODUCTION NO 5:**
2 Ford continues to do a song and dance around request. Carrea
3 has not requested info about other vehicles in Request 5. Ford
4 excuses are unacceptable and intolerable.

5
6
7 **III. Carrea is entitled to his reasonable Expenses,**
8 **including this Motion.**
9

10
11 Rule 37 (a)(5)(a) provides that upon granting a motion
12 Compel discovery, the court "must ... require the party ...whose
13 conduct necessitated the motion ...to pay movant's reasonable
14 expenses incurred in making the motion, including attorney's
15 fees. Carrea request that he be allowed to submit documentation
16 of the cost due to this motion should this court grant his motion
17 to compel.
18
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23 **PAGE TWENTY FIVE**
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27 PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES
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CONCLUSION

For the foregoing reasons, this Court should grant plaintiff's motion to compel discovery.

Dated: may 1, 2019

Respectfully Submitted,

By:



Carrea Christopher

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws, that on the 1 day of May, 2019, I caysaed to be served in the manner of cm/ecf a copy of the within and foregoing document upon the following persons:

**Law offices of Mills, Meyers, Swartling, P.S.
1000 second avenue, 30th floor
Seattle, Washington 98104-1064
Telephone (206) 382-1000**



Carrea Christopher

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PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES
NO. 2:17-CV-738-RSL

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